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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 4TH DAY OF JUNE 1998

B E F O R E

THE HON'BLE MR. JUSTICE CHANDRASHEKARAIHAH

WRIT PETITION NO.28437/1995

BETWEEN:

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M/s.Sapna Book Stall,
Gupta Market No.17,
K.G.Road (Opp. Janatha Bazar),
Gandhinagar, Bangalore - 9,
Rep. by its Partner -
Nitin S. Shah. ... Petitioner.

(By Sri.B.K.Sampath Kumar for Petr.)

AND:

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10/11
1. The Commissioner,
Corprn. City of Bangalore,
Bangalore.
 2. The Asst. Executive Engineer,
Gandhinagar Sub-Divn.,
Gandhinagar, Bangalore - 9. ... Respondents.

(By Sri.V.Narayanaswamy for Respds.)

This Writ Petition filed under Articles 226

... 2/-

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& 227 of the Constitution of India with an affidavit praying to: Direct the respondents not to demolish the building No.17, K.G.Road, (Opp. Janatha Bazar) Gandhinagar, Bangalore & Etc.

This Writ Petition coming on for final disposal this day, the Court made the following:

O R D E R

The petitioner has filed this petition for an injunction apprehending that the respondents are taking steps to demolish the building belonging to him.

The case of the petitioner is that in respect of the deviation of the construction found, the Corporation has regularised the said deviation by levying penalty and the said penalty is also paid by the petitioner. If really the Corporation has regularised any unauthorised construction, it is not appropriate for the Corporation to demolish the building of the petitioner without holding an enquiry and passing an appropriate order under the provisions of the Act and the Rules.

With the above observations, writ petition is disposed of.

Sd/- Judge.

COPY

Assistant Registrar
High Court of Karnataka
Bangalore-560 001

bsr(o.s.)

r.by: *Kolas*

c.by: *V*